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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

VALDON VALENTINE

* CIVIL ACTION NO. 6:15-2905

VERSUS

* JUDGE REBECCA F. DOHERTY

L & L SANDBLASTING, INC.
CORPORATION, ET AL

* MAGISTRATE JUDGE
WHITEHURST

JUDGMENT

This matter was referred to United States Magistrate Judge Carol Whitehurst for Report and Recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) filed by defendants, L&L Sandblasting, Inc. and The American Equity Underwriters, Inc. [rec. doc. 5], is **GRANTED** as to the claim of plaintiff, Valdon Valentine, against defendant, The American Equity Underwriters, Inc., under the Louisiana Direct Action Statute, LA. REV. STAT. § 22:655, and that claim is hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the plaintiff's claim under the Jones Act be
DENIED.

Lafayette, Louisiana, this ~~30~~ day of September 2016.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE